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SUMMARY RECORD OF THE 33rd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 29 November 1993, at 3 p.m.

Chairperson: Mr. ALSTON

CONTENTS

Consideration of reports (continued)

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant (continued)

Second periodic report of Mexico (continued)

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The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS (agenda item 4) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Second periodic report of Mexico concerning articles 1 to 15 (E/1990/6/Add.4; E/C.12/1993/WP.16; HRI/CORE/1/Add.12)

1. The CHAIRPERSON invited the representative of Mexico, Ms. Aida González Martínez, to continue her replies to the questions on the list of issues (E/C.12/1993/WP.16) to be taken up in connection with the consideration of the second periodic report of Mexico concerning articles 1 to 15 of the Covenant (E/1990/6/Add.4).

2. Ms. GONZALEZ MARTINEZ (Mexico) said, with regard to issue No. 33, that a study carried out in Mexico in 1980 had found that 18.58 per cent of groups that spoke an indigenous language were involved in migratory flows and that 12.3 per cent of the indigenous population (635,235 out of 5,282,347) had emigrated.

3. She added that more than five million indigenous people made their livelihood from the land and from natural resources, engaging in traditional agriculture, stockbreeding, inshore fishing, handicrafts and forestry; those activities enabled them to satisfy their food requirements, even though they frequently lived in inaccessible areas without access to either public services or employment. Moreover, lack of technical support and the somewhat irrational exploitation of natural resources by foreigners compelled members of indigenous groups to seek means of subsistence and productive employment elsewhere.

4. As far as measures to provide sources of employment and development in indigenous areas were concerned, she said that the National Solidarity Programme (Programa Nacional de Solidaridad, (PRONASOL)) gave priority to measures for the benefit of indigenous groups in the fields of health, nutrition, education, housing and employment. Medical and health-care centres had been established and shops and supply depots set up. Some villages had been connected to the drinking-water and electricity-supply networks and efforts were under way to build, widen and repair the roads by agreement with the indigenous communities. One of the main objectives of the Programme was to extend all public programmes to the areas inhabited by indigenous groups, by promoting productive activities rather than providing assistance and subsidies. Special support programmes helped the indigenous communities to take part in regional development and more than 64,000 solidarity committees had been established in rural communities and indigenous villages. PRONASOL had made it possible to carry out a variety of projects that were complementary to, and strengthened, the work of the Instituto Nacional Indigenista (INI) (National Institute of Indigenous Affairs) in four fundamental areas: economic development, social welfare, the administration of justice and the protection of the cultural heritage. From 1990 to 1992, it had enabled 128 regional funds for the development of the indigenous populations to be set up, covering 726,000 producers belonging to

3,000 organizations. Since 1990, the indigenous populations had also benefited from new measures that had been introduced as part of broader solidarity programmes: the measures concerned coffee cultivation, the rural road network, electrification, the construction of drinking-water supply facilities, the establishment of medical and health-care centres, supply depots, production and municipal funds and the rehabilitation of schools. Other measures were also being implemented as part of the programme of support to indigenous communities.

5. Regarding issue No. 34, concerning the meaning of the term "household" she said that by "household" her Government meant a group of individuals linked by family or other ties, who usually occupied the same dwelling and depended on a common income, and that a person living alone also constituted a household. Nevertheless, the average size of Mexican households was 4.9 individuals.

6. Regarding issue No. 35, concerning the high incidence of malnutrition and morbidity in indigenous areas and the fact that indigenous areas lacked drinking water and drainage, she said that it was only in one area of Oaxaca province that 90 per cent of the indigenous population had no drainage system; the inadequacy of medical and health services was due to the scattered location of the indigenous communities and their inadequate means of communication. Numerous diseases, which had been brought under control or eradicated in other parts of Mexico, persisted in those areas for lack of preventive measures. Malnutrition was particularly acute in areas inhabited by indigenous populations, particularly among children under five years of age. There were manifold causes: the inadequacy of agricultural production on account of the mountainous terrain, the poor soil and poor use of production factors which meant that harvests did not cover local consumption; distribution and marketing problems attributable to isolation and the terrain; the sometimes inadequate diet and the methods used to prepare food, which led to chronic diarrhoeal diseases. For that reason, PRONASOL was endeavouring to set up training programmes in the fields of food, nutritional principles and the use of local food supplies.

7. From the very outset of its work PRONASOL's Consultative Committee had recognized that most of the extremely poor were concentrated in areas inhabited by indigenous populations, i.e., particularly inaccessible mountainous areas (the States of Chiapas, Oaxaca, Vera Cruz, Puebla, Guerrero, Durango, Chihuahua, etc.) where they formed the "spinal column" of poverty. That geographical distribution coincided with the areas in which the indigenous population was densest and where over 40 per cent of children suffered from malnutrition.

8. PRONASOL also supported health programmes run by traditional doctors' organizations which encouraged the exchange of know-how and experience in the sphere of traditional medicine. Through the nutritional support programme, PRONASOL provided food containing the essential 25 per cent of the calories to families of the indigenous groups at risk living in extreme poverty. Pursuant to the principle of participatory development, the communities paid a counterpart contribution to a development fund for food production.

9. As for drinking-water and drainage systems, joint studies by the Ministry of Health and INI had established that 38.1 per cent of rural dwellings had a drinking-water supply and 15.7 per cent of them had drainage, as against 79.4 per cent and 63.6 per cent respectively, in the case of urban dwellings. Clearly, the risk of illness was far higher in areas without drinking water and drainage, which were generally isolated and mountainous areas inhabited by the indigenous populations.

10. Regarding issue No. 36, concerning the proportion of indigenous persons and senior citizens living in conditions of extreme poverty, she said that there was an obvious link between the proportion of indigenous persons and the poverty and marginalization indices, as poverty, like the indigenous populations, was concentrated in Mexico's centre and south. According to the 1970 census carried out by the Coordinación General del Plan Nacional de Zonas Deprimidas y Grupos Marginados (Coordinating Office for the National Plan for Depressed Areas and Marginal Groups), 83.5 per cent of indigenous persons lived in marginal areas. For its part, the National Population Council had found in 1980 that, of 5,181,038 persons who spoke indigenous languages, 2,360,648 lived in extremely marginal rural communes, 1,160,767 in very marginal rural communes, 13,394 in extremely marginal urban communes and 330,299 in very marginal urban communes. According to calculations made by INI using broader criteria to define the concept of indigenous persons, there were probably 8,701,090 persons belonging to indigenous populations in Mexico, 2,553,350 of whom lived in extremely marginal communes and 3,087,652 in very marginal communes. In 1990, in order to make up for the economic backwardness of indigenous communities, regional solidarity funds had been established to provide direct funding for projects to promote productive activities and the creation of paid employment in indigenous communities.

11. There were few statistics on senior citizens living in conditions of extreme poverty, although various public programmes suggested that many senior citizens required welfare and health assistance.

12. Regarding issue No. 37, concerning protection of the integrity of lands of indigenous groups, she said that a number of reforms had been adopted, including a constitutional reform designed to promulgate regulations that would guarantee the ownership of land belonging to indigenous populations. INI had already incorporated the future reforms into its current activities by facilitating the introduction of a new land-ownership regime in keeping with the interests of the indigenous populations and, in particular, a regime of communal ownership - the traditional system par excellence.

13. As part of its activities connected with the administration of justice, PRONASOL had encouraged the establishment of "agrarian conciliation brigades" which helped indigenous populations to overcome their backwardness and to settle real-estate disputes, thereby making it possible to formalize the land ownership regimes in various communities.

14. INI had determined the following criteria for classifying a person as indigenous: possession of an indigenous language, his or her own classification of himself or herself as indigenous, membership of a structure or organization considered to be indigenous and lastly, descent, on the understanding that racial factors did not take precedence over cultural ones.

15. In the absence of detailed information on specific events, it was difficult for her to respond to issue No. 38, concerning the allegation that indigenous populations and poor peasants were terrorized into giving up their land. A number of conflicts had from time to time been sparked off by the activities, within some rural or indigenous communities, of religious groups or sects from outside, particularly in southern and south-eastern Mexico (Chiapas and Guerrero). Other conflicts had been caused by land-ownership disputes between the owners of large estates and rural or indigenous communities which the former attempted to evict from land considered by both parties to be their own. Since then the Government had established the Procuradoría Agraria and the Procuradoría de los Pueblos Indígenas as well as the Programa Nacional de Agencias y Defensorías, which was responsible for examining social needs and settling other disputes. Since 1990, the National Human Rights Commission had received a number of complaints from areas where indigenous people lived, especially from the high plateaux of Chiapas, the State of Guerrero and the mixed area of Oaxaca, alleging violations of the indigenous populations' freedom of worship and acts of expropriation against them. The Commission had established a special organ to address the problem.

16. The Government of Mexico realized that land-ownership disputes were a hindrance to proper land use and a source of conflict and insecurity that occasionally sparked off isolated acts of violence. However, the action undertaken through the National Solidarity Programme and the joint solidarity programmes, with the participation of the Ministry of Agrarian Reform, of INI, of the Government and of the states, had made it possible to improve communications between the authorities and the communities and promoted increased participation.

17. With regard to the housing problem, the 1990 census had revealed a large increase in the number of owner-occupied dwellings, which had risen from 66 to 77.9 per cent between 1970 and 1990. Remarkably, the highest percentage was in the province of Oaxaca, which was the poorest province with the least developed infrastructure (electrification, water supply, etc.). As for the building materials used, the 1990 census indicated that most dwellings were of hard construction: 69.5 per cent had brick, breeze-block, stone or cement walls and 14.6 per cent walls of sun-dried bricks (adobe); the latter material had proved particularly shockproof at the time of the 1985 earthquake. More than 50 per cent of dwellings had a concrete or brick roof. In recent decades, the proportion of dwellings with a rammed-earth floor had diminished sharply: it was currently only 19.5 per cent.

18. Between 1970 and 1990, there had also been a clear improvement in terms of public utilities (water supply, drainage and electricity). In 1990, 74.8 per cent of dwellings possessed sanitary facilities and 91 per cent had a kitchen. The main cooking fuel was gas (76.8 per cent) followed by wood and coal and, lastly, paraffin and electricity.

19. In 1990, there were over 16 million housing units in Mexico, most of them being individual dwellings. Between 1970 and 1990, the mean annual increase in the housing stock (3.4 per cent) had been higher than the increase in the population (2.6 per cent). Over the same period, the average number of inhabitants per dwelling had fallen from 5.8 to 5. In the country as a whole,

there were on average 1.5 occupants per room. Approximately 65 per cent of private dwellings had three or four rooms, 23 per cent had two rooms and barely 10 per cent had one room.

20. Regarding the right of each family to decent housing, the family was considered to be the basic unit of society in Mexico and comprised the spouses and their offspring; when it also comprised grandparents, it constituted an extended family. Single persons (minors and senior citizens) without a family were entitled to protection from the State and State institutions. However, there were not many persons who had no family at all. The term decent housing meant a sufficiently spacious dwelling provided with the amenities referred to above; however, there were differences between urban and rural areas.

21. Regarding the percentage of the population that was homeless, the only information available was that collected during the 1990 general population and housing census: 78 per cent of dwellings were owner-occupied, 14.7 per cent were rented and 6 per cent were on loan, leased, etc.

22. Regarding street children and the implementation of article 4 of the Mexican Constitution, she said that there was a special programme for street children. The programme was implemented within the framework of the family integration system and was designed to alter the minors' behaviour, to achieve their reinsertion into their families and to prevent them from being marginalized. It was aimed at, inter alia, the children of migrant workers and of extremely poor indigenous populations as well as minors whose behaviour was antisocial.

23. As far as housing amenities and the characteristics of dwellings in marginal areas were concerned, she added that 64.8 per cent of dwellings possessed a wastewater drainage system and 87.5 per cent an electricity supply. The tables provided showed that approximately 8 per cent of dwellings were in a poor condition and needed to be repaired or rebuilt.

24. On the question of AIDS and the relevant measures adopted in Mexico, the National Council to Prevent and Combat AIDS (CONASIDA) had, since its establishment, been committed to ensuring that the fundamental rights of persons with the human immunodeficiency virus (HIV) or with AIDS were respected. To that end, it organized information campaigns designed to eliminate all forms of discrimination against victims of the disease, and presentations, as part of AIDS training courses, on the topic of human rights. It operated a social welfare advice coordination mechanism and cooperated with the National Human Rights Commission to provide victims of the disease with better protection. Its action had led, inter alia, to the drafting of the Declaration of the Fundamental Rights of HIV-positive Persons and Persons with AIDS. In line with the recommendations of the World Health Organization, the Council advocated absolute respect for the principle of non-discrimination.

25. The Council believed that it was difficult to define the concept of vulnerability to HIV-AIDS since, in biological terms, the whole population was exposed whenever its behaviour put it at risk. It was possible to address the problem of vulnerability from two angles: that of high-risk behaviour and that of socio-economic and cultural factors. In Mexico, AIDS was increasingly

affecting persons belonging to the lowest socio-economic strata, heterosexuals and rural dwellers, many of whom worked abroad. In addition to education and prevention campaigns, efforts were necessary to ensure that victims received the necessary treatment, as most of them were not covered by social security. CONASIDA had not recommended any specific preventive measures for aliens and, in conjunction with the authorities of the northern states and municipalities, had carried out information campaigns for migrant workers. In the south, it had launched information campaigns for Guatemalan refugees and provided information to the Government of Belize. Lastly, an AIDS-prevention campaign for Mexican migrant workers abroad was broadcast over the radio and television.

26. As far as air pollution was concerned, measures had been adopted to remedy the situation in Mexico City and in the rest of the country. At the federal level, the Federal Office for Environmental Protection and the National Environmental Institute were responsible for ensuring the implementation of the provisions of the law, of standards and of environmental conservation, protection and rehabilitation programmes. In the federal capital, where the level of pollution was highest, a variety of measures had been introduced, most notably as part of the Overall Programme to Combat Atmospheric Pollution. Of the 4.7 billion dollars allocated to the budget, 1.5 had already been used for anti-pollution measures. The Programme comprised five major sectors: local surveys, information on environmental problems and citizens' participation; improving the quality of fuel burned, and in particular encouraging the use of lead-free petrol; promoting the use of and improving public transport and the use of non-polluting individual transport; modernizing the industrial sector, and especially monitoring pollutant emissions; and, lastly, environmental rehabilitation, including reforestation of wooded areas.

27. Regarding the training of traditional midwives and its impact on maternal and child mortality, she said that, in 1992, a total of 23,200 traditional midwives had been registered. They had performed 19,000 deliveries in 15 states and only 10 cases of maternal mortality had been reported. The midwives were also responsible for providing birth-control advice and for monitoring pregnancies. In 1993, health teams had worked with 14,232 traditional therapists, including 6,421 duly registered midwives. Under the agreement signed with the Organization of Indigenous Doctors of the State of Chiapas, 17 community health projects in the field of traditional medicine had received State support.

28. In the 1992/93 school year, the school enrolment rate had been 61.2 per cent in nursery schools, 85.4 per cent in primary schools and 83.6 per cent in secondary schools. In 1992/93, the school drop-out rate from primary schools had been 4.1 per cent. Abandoned children were cared for by a variety of welfare institutions. Comprehensive protection, designed to shelter them from exploitation, ill-treatment and sexual abuse, was also provided by the Office of the Attorney-General of the Federal District, which had launched a series of measures designed to protect children in hazardous or conflictual situations.

29. The Constitution stipulated that education was secular and wholly independent of any religious doctrine. However, the Constitution also guaranteed freedom of belief, and religious education was provided by members of the clergy and a variety of religious associations, freely and without any form of restriction.

30. The preservation and promotion of indigenous languages was a major concern of the Ministry of Education, which prepared textbooks, teaching manuals and, in general, all the support material necessary to teach the indigenous languages. It also organized annual training courses for teachers working in an indigenous environment. Textbooks had been published in 16 indigenous languages, and it was planned to increase the number to 25 by the end of 1993. The programme for the modernization of indigenous education, referred to in paragraph 338 of the report, had made it possible to develop and diversify educational services for indigenous people, to maintain and improve the quality of teaching and to reduce inequalities. Since 1991, teachers working in an indigenous environment had received a monthly allowance to encourage them to remain there. All the textbooks and teaching material had been revised and adapted to the requirements of the indigenous populations, and, between 1991 and 1993, 6,122 teachers had been trained to work in an indigenous environment. There was complete freedom of education and teachers were entirely free to organize their teaching on the basis of their pupils' characteristics and needs; they participated freely in the school administration. Educational freedom was a constitutional principle that was guaranteed at all levels of education.

31. Despite all the efforts made by the authorities to provide a primary education for all children, attainment of that objective was jeopardized by the scattered population and the isolation of some regions; in addition, the age-old poverty of some population groups compelled their children to leave school prematurely in order to work. Primary education was entirely State-financed. Since 1989, the public authorities had built or renovated 14,600 schools. Priority had been given to building schools in rural areas, indigenous areas and low-income housing estates. The community as a whole was associated with that programme.

32. During the 1992/93 school year, 93.6 per cent of children had benefited from free primary education; 6.4 per cent being educated by the private sector. The vast majority of private schools were located in the Federal District built-up area.

33. Generally speaking the level of education had improved markedly since Mexico's previous periodic report; the percentage of 15-year-olds without an education had fallen from 31.6 per cent in 1970 to 13.45 per cent in 1990. The percentage of children who failed to complete primary education had fallen from 38.95 per cent to 22.8 per cent during the same period. Those advances had been achieved in both secondary and primary education. A federal subsidies programme was designed to support the establishment of primary schools in a number of states, and there were plans to grant subsidies to another 100 particularly needy schools.

34. With regard to measures to promote indigenous culture, the National Indigenous Institute had set up solidarity funds that were used to finance cultural projects proposed by indigenous communities. It was also implementing a project for the development and promotion of indigenous cultures by providing financial support for community cultural events (for example, music, dancing and ritual festivals). All the cultural projects were organized by indigenous community groups. Promotion of the cultural heritage of the indigenous groups was ensured by a solidarity fund financed by the National Institute, which financed projects in the fields of ethnic culture, music and the protection of holy places and of the historic cultural heritage. In 1993, 47 ethnic groups had received assistance in the context of 68 projects. However, the funds available for the programme to develop and promote indigenous cultures were insufficient. She emphasized that, while the State provided technical support and advice, it was the indigenous communities themselves that drew up the projects in terms of their own needs, and undertook to take part in realizing them.

35. To conclude, she stressed that her Government considered the realization of economic, social and cultural rights to be a priority; although it considered that the strengthening of the existing machinery was preferable to the creation of a new mechanism, it would be ready to participate in the preparation of an optional protocol to the International Covenant on Economic, Social and Cultural Rights.

36. The CHAIRPERSON thanked the delegation of Mexico for its detailed additional information. He suggested that the members of the Committee should first of all make comments and ask any questions relating to articles 6 to 9 of the Covenant, followed by those relating to articles 10 to 12 and, lastly, those relating to articles 13 to 15.

37. It was so decided.

38. The CHAIRPERSON invited the members of the Committee to comment on the rights covered by articles 6 to 9 of the Covenant.

39. Mr. TEXIER commended the wealth of detail in Mexico's report (E/1990/6/Add.4), which had been supplemented by particularly thorough replies.

40. The recent signing of the North American Free-Trade Agreement (NAFTA) by Mexico would undoubtedly entail economic reorganization whose consequences for the population were feared by some people. For example, one non-governmental organization had expressed dismay at the consequences of the Agreement for traditional crops such as maize. It would be interesting to hear the views of the delegation of Mexico on that question.

41. The National Human Rights Commission, to which the delegation had frequently referred, seemed to concentrate on civil and political rights, and he wondered whether it none the less played a specific role where economic, social and cultural rights were concerned.

42. Noting that the Mexican authorities had initiated a programme for the repatriation of Guatemalan refugees in the States of Chiapas and Campeche, he asked for details of the current situation, and in particular of the number of returnees and the living conditions of the refugees still in Mexico.

43. Lastly, a report by the Economic Commission for Latin America and the Caribbean had revealed that there were 13,600,000 people living in extreme poverty in Mexico, although the situation was apparently improving, a trend that he was pleased to note.

44. Mr. BADAWI said he wished, first of all, to ask whether the recommendations of the National Human Rights Commission were followed up and whether the Government had the means of verifying the fact.

45. Regarding the right to work, he enquired whether workers employed in the formal sector also worked in the informal sector, as was the case in many countries. If that was so, he would like to know what percentage of the workers was concerned.

46. Mrs. TAYA said that, according to figures she had been given, the minimum wage in Mexico was insufficient to cover minimum needs, as half of the population allegedly lived in poverty, while only 12 per cent of the economically active population received less than the minimum wage. Accordingly, she asked for clarification of what the "minimum wage" concept really meant in Mexico.

47. While the system of sub-contracting enterprises known as maquiladoras certainly had the advantage of providing work for the Mexican population, it was frequently criticized on the one hand for encouraging the exploitation of cheap labour and on the other for "exporting" pollution. She asked whether any measures had been adopted to offset its negative impact.

48. Mr. GRISSA said that there was a wealth of information in the report, but he regretted that the annexes containing the delegation's written replies had not been attached to the report proper.

49. The situation of children in respect of employment gave rise to some concern; although the minimum legal age for employment was 14, according to the report (para. 20) 97.3 per cent of children aged over 12 had jobs. If children left school to go to work, their right to a secondary education was jeopardized. In addition, children were generally an exploited labour force, and he asked whether Mexican children who worked had any opportunity of receiving more than the minimum wage which, incidentally, quickly lost its value as the rate of inflation grew more rapidly.

50. Lastly, the recent signing of the North American Free-Trade Agreement raised questions as to what Mexico could expect from it. In particular, he wondered whether there was not reason to fear that Mexico might become a source of poorly paid labour for its huge next-door neighbour.

51. Mr. ALVAREZ VITA congratulated the delegation of Mexico on the quality of its written replies to the questions asked by the Committee in the list of issues to be taken up (E/C.12/1993/WP.16). The replies were in themselves a supplementary report that should be carefully preserved in the files of the Centre for Human Rights.

52. Many NGOs had expressed their concern about the situation of certain economic, social and cultural rights in Mexico. He hoped that the delegation of Mexico would respond, as appropriate, to the most important of those concerns, especially those connected with the consequences of the adoption of NAFTA.

53. The CHAIRPERSON pointed out, in that connection, that the questions raised in the documents submitted by NGOs to the members of the Committee could not be at the centre of the dialogue between the State party and the Committee unless an expert, or the Committee as a whole, expressly took up one of those issues itself.

54. Mr. CEAUSU said he thought he detected a certain paternalism in the reply by the delegation of Mexico to question 20 of the list of issues (E/C.12/1993/WP.16). It would appear from the reply that the Government knew better than civil servants themselves how they should exercise their trade-union rights. He thought that pluralism should also operate in the trade-union sphere, and failed to understand how it was possible to justify the ban on the co-existence of two or more trade unions within a single State entity.

55. Mrs. JIMÉNEZ BUTRAGUEÑO endorsed the views expressed by Mr. Ceausu and asked whether civil servants who worked in the various State bodies all belonged to the same trade union.

56. Mr. MARCHAN ROMERO thanked the delegation of Mexico for the valuable information it had provided to the Committee. He asked whether, given Mexico's huge cultural and ethnic diversity and the emergent awareness of their rights, among the world's indigenous peoples, Mexico's indigenous communities were demanding a right which he considered excessive, i.e., the right to self-determination.

57. Mr. RATTRAY thanked the delegation of Mexico for its detailed description of Mexico's highly complex society.

58. He would like to know precisely what criteria were employed to classify a Mexican citizen - or for him to classify himself - as indigenous and what measures had been adopted to improve the situation of the vulnerable and marginalized sectors of the population, especially the indigenous population.

59. In the trade-union sphere, the prohibition on aliens and persons under 16 years of age belonging to the administrative bodies of trade unions appeared to be inconsistent with the provisions of article 8 of the Covenant. He asked why the workers should not be allowed to decide for themselves, democratically, what restrictions they wished to apply to the exercise of trade-union rights.

60. Regarding migrant workers, he asked whether Mexico felt itself responsible for ensuring that they enjoyed, in conformity with article 7 of the Covenant, just and favourable conditions of work. He asked whether the Government of Mexico had entered into any agreements with the States in which some of its citizens worked.

61. Mrs. IDER thanked the delegation of Mexico for the wealth of detail with which it had provided the Committee. Ms. González Martínez had said that the Government had drawn up a number of programmes for different categories of children, including abandoned children and street children. She asked to what extent the implementation of those programmes had made it possible to improve their situation.

62. The CHAIRPERSON invited the members of the Committee to ask questions concerning the implementation of articles 10, 11 and 12 of the Covenant.

63. Mr. GRISSA asked the delegation of Mexico to provide a more convincing reply to the Committee's question about the use of hired gunmen (pistoleros), and occasionally members of the police forces, to evict people from land they were occupying, or to compel them to work.

64. He also asked for more detailed information on the five million street children. He asked how old they were, who looked after them, whether they went to school and what they lived on.

65. He also asked what the Government of Mexico was doing to improve the living conditions of its citizens working in the southern part of the United States of America.

66. In Mexico, the average per capita income was fairly satisfactory. However, half the population apparently lived below the poverty line. He asked whether the Government had taken any measures to redistribute income more equitably.

67. Lastly, he would like to know what the Government of Mexico was doing to combat pollution, which had worsened on account of the transfer of polluting industries from the north to the south.

68. Mr. TEXIER asked what measures had been adopted to improve the housing situation in Mexico, where 39 per cent of the dwellings were considered unsatisfactory.

69. He also asked for details of the Mexican Government's policy towards formalizing the situation of persons occupying land unlawfully.

70. Between December 1992 and November 1993, 9,000 people had been forcibly evicted from the homes they were unlawfully occupying, principally in the State of Mexico. Some people had been injured during those evictions. It was quite possible that it might be necessary to evict people from or to expropriate a place for environmental, strategic, cultural or other reasons, but it was then necessary to rehouse the occupants or owners or to pay them compensation for that purpose. Moreover, those principles - rehousing and compensation - might well be among the principles of international law to

which any eviction should conform, as mentioned in the Committee's General Comment 4 (para. 18). Moreover, the press and a number of non-governmental organizations had referred to redevelopment projects for the historic centre of Puebla which would apparently affect some 4,500 people: their eviction had allegedly been planned since 10 August 1993, following a declaration that the project was in the public interest. He was worried about the circumstances in which the operation was to go ahead and asked whether any measures had been planned to rehouse those affected. He said that, although he would be absent from the following meeting for professional reasons, he would ask his colleagues to inform him of the replies provided by the Mexican delegation to his questions.

71. Mr. BADAWI said that, when the representative of Mexico had referred at the previous meeting to the problem of children who were obliged to work, she had made a passing reference to the rehabilitation programmes set up by the Government: he asked what was the duration of the courses provided under those programmes, whether they focused on the acquisition of particular technical skills and whether the Government also helped the participants subsequently to find work.

72. Mrs. BONOAN-DANDAN, referring to paragraph 148 of the report which mentioned drug addiction among minors in urban areas, asked whether, as in other Latin American countries, there were also children who were forced by drug-traffickers to sell drugs under threat of violence. If such was the case, she would appreciate information on the extent of the problem and on any measures taken by public bodies to assist such children, i.e. by arresting those who thus exploited them.

73. Regarding child prostitution, she asked how widespread the problem was in Mexico, how many children were controlled by pimps or persons who lived off paedophilia, how many of the children were seropositive or victims of AIDS, and lastly what measures, if any, had been adopted to help extremely young prostitutes who became pregnant. More generally, she asked what had been done to inform street children of the risks they ran, inter alia, from prostitution and drug addiction.

74. Mr. CEAUSU said that efforts to combat poverty and assist the indigenous population and other underprivileged rural groups also necessitated the equitable sharing of agricultural land. However, although large estates (latifundios) were prohibited in Mexico (report, para. 192), it was nevertheless true that any plot of less than 100 - or even 150 or 300 hectares - was classified as a smallholding if the land was used to cultivate certain plants. That being so, he asked how a holding of 10 hectares or less would be classified. In order to ascertain how equitable the occupation of agricultural land actually was, it would be useful to have information on distribution by size, i.e. the number of holdings of from 1 to 10 hectares, from 10 to 50 and from 50 to 100.

75. Mrs. TAYA said it appeared that, in accordance with the structural adjustment policy pursued by the Government of Mexico, agricultural investment favoured large estates and export crops rather than smallholdings and food crops for domestic consumption. She asked what were the reasons for that restructuring of agricultural investment and requested further information on

current planning of food production, as well as on the criteria used to determine the subsidies paid to producers, particularly under the Pro Campo programme.

76. Mrs. JIMÉNEZ BUTRAGUEÑO referred to a law which had abrogated a 1948 decree and modified the notice a landlord had to give of his intention to recover rented property in the Federal District, depending on whether it was for commercial, residential or mixed use. She would like to have some details of the social impact of the new law, which did not favour tenants: she asked whether small shopkeepers, who had 30 days to quit the premises, had been compensated and whether they had been helped to find new premises. She also asked whether priority was given to local tenants when allocating new housing.

77. Mr. GRISSA asked whether indigenous minorities were free to leave the land attributed to them or which they occupied, and whether persons who did not belong to indigenous minorities could also own land in the areas concerned.

Articles 13 to 15

78. The CHAIRPERSON asked whether the members of the Committee had any questions regarding the implementation of articles 13 to 15.

79. Mr. GRISSA asked what percentage of the indigenous population had access to education, and in particular to higher education, and how many of them were members of the professional classes.

80. Mr. KOUZNETSOV, referring to the document on academic freedom which had been distributed to the members of the Committee, asked for details of the relationship between the authorities and educational, particularly higher educational, establishments.

81. Mr. TEXIER said that, according to the relevant section of the report, there had been a marked improvement in the literacy rate as well as in school enrolment at all levels - primary, secondary and higher, and that a major effort had been made on behalf of children who were likely to experience failure at school. Nevertheless, the report also brought out the specific problems encountered within the indigenous education sub-system (para. 326), which was completed by only 23 per cent of the pupils concerned and in which there was heavy absenteeism for economic reasons. He asked what specific measures had been introduced to attempt gradually to make up those children's academic backwardness and progressively enrol in school as many children as possible from areas in which the indigenous populations were concentrated.

82. The report also stated that there were as yet dozens or even hundreds of historic sites to be discovered in Mexico. He would like to have some details of the efforts being made to bring to light and to protect that wealth, as well as of the means or international assistance available to the competent authorities for that purpose.

83. Mr. RATTRAY asked, with regard to the educational system, whether a qualitative difference had been observed in Mexico between the education

provided by the public and private systems, and whether individuals who had received a private education were more numerous in key positions in trade and industry or in society. He asked whether a trend had been perceptible, in conjunction with the liberalization of the economy, towards greater privatization of education.

84. Mrs. BONOAN-DANDAN said she noted that the amount allocated from the cultural budget for the promotion of indigenous cultures was virtually negligible (para. 387 of the report) and that, on the whole, indigenous cultures were preserved and transmitted by their own vigour, without any action by the authorities (para. 389). She asked what the Government of Mexico intended to do to resolve that problem, of which it was clearly aware, and at least to ensure that indigenous cultures did not simply die out for lack of support. If it was itself impotent to preserve those cultures, she asked whether there was no international organization to which it could appeal.

85. Mr. CEAUSU, referring to the same problem, namely, the absence of any national or institutional programme for the promotion of the cultures of indigenous peoples or of any institution responsible for recording and studying indigenous languages and the limited access of indigenous peoples to the manifestations of culture promoted and supported by the State, said that there was a blatant disparity in the promotion and protection of the various cultures, depending on whether they were of European or indigenous origin, and that the State did not do enough to protect indigenous cultures, as it was required to do by the Constitution. He was pleased to note that there were radio broadcasts in the indigenous languages and asked whether they could be received wherever indigenous populations lived.

86. The CHAIRPERSON invited the delegation of Mexico to reply to the questions put by the members of the Sub-Committee.

87. Ms. GONZALEZ MARTINEZ (Mexico) said that she would endeavour to provide at the next meeting specific and detailed replies to all the questions asked by the experts. To that end, she asked Mr. Grissa to give her further details of the television programme to which he had referred and Mr. Ceausu to specify whether by the term "civil servants" he meant State employees or State officials, as the former did not bear the same burden of responsibility in Mexico as the latter. She also pointed out that it would be very difficult for her to provide a satisfactory reply to the experts who had referred to texts that were not in her possession, and asked the latter at least to inform her of the contents of the documents they had quoted - Mrs. Jiménez Butragueño concerning the new rents act, Mr. Texier, concerning the press cuttings and communications from governmental organizations which referred to the redevelopment of the historic centre of Puebla, and Mr. Kouznetsov concerning the document on academic freedom.

88. The CHAIRPERSON asked the experts in question to provide the representative of Mexico with the details and information she had requested.

The meeting rose at 6 p.m.